



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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JUN 16 2011

Cody Toal
King County Water and Land Resources Division
Department of Natural Resources and Parks
201 South Jackson Street, Suite 600
Seattle, Washington 98104-3855

RE: 2011 Riparian Planting - Temporary Water Use Authorization No. S1-28708

Dear Mr. Toal:

The Department of Ecology (Ecology) received your application requesting temporary withdrawal of surface water for watering native plants at habitat restoration sites from June 1, 2011 to September 30, 2011.

- For streams that have been closed to further consumptive uses, withdrawals of water are authorized only in those situations where it is clear that overriding considerations of the public interest will be served. Ecology is committed to support projects that have a direct positive impact on stream habitat. According to RCW 90.54.020(3), the quality of the natural environment shall be protected, and where possible, enhanced. In these cases, water use is authorized when flows are at or above 1 cubic foot per second.
- For rivers where instream flows have been established, water right authorizations are conditioned by instream flows. This means the right to use water can legally be interrupted if stream flows drop below a specific level. Because flows change daily, it is up to the applicant to check the gauges in the sources indicated and shall be responsible for the termination of watering when the flows are not being met (see enclosed spreadsheet).

Ecology appreciates the past cooperation you have shown in seeking alternative methods to watering project plants by using reclaimed water and municipal water where available, and recommends these alternatives when flows are not met at project sites.

Nothing in the temporary water use authorization allows for its holder to impair existing water rights.



Water use authorizations are subject to provisions as listed by project, and continue through September, 30, 2011. The Water and Land Resources Division shall record how much water is used at each site and will notify Ecology if any of these projects have ended prematurely, been delayed, or completed. Each project site should use procedures to eliminate any waste of water.

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk P.O. Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board Environmental Hearings Office 1111 Israel Road SW, Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board P.O. Box 40903 Olympia, WA 98504-0903

Please also send a copy of your appeal to:

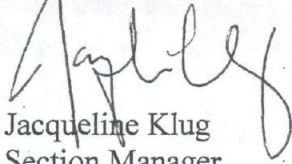
Jacqueline Klug
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008

For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov>

*To find laws and agency rules visit the Washington State Legislature Website:
<http://www1.leg.wa.gov/CodeReviser>*

If you have any questions, please contact Dorothy Glenn at (425) 649-7278 or email her
at Dorothy.Glenn@ecy.wa.gov.

Sincerely,



Jacqueline Klug
Section Manager
Water Resources Program

jk/dg/mc

By certified mail: 7008 1140 0000 2359 8206

Enclosure: Project spreadsheet

7008 1140 0000 2359 8206

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Street, Apt. No., or PO Box No.	CODY TOAL KING COUNTY WATER AND LAND RESOURCES DIVISION DNR AND PARKS 201 SOUTH JACKSON STREET SUITE 600 SEATTLE WA 98104-3855
City, State, ZIP+4	
PS Form 3800, August 2006 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: **WR.DG 81-28708**

CODY TOAL
 KING COUNTY WATER AND LAND RESOURCES DIVISION
 DNR AND PARKS
 201 SOUTH JACKSON STREET
 SUITE 600
 SEATTLE WA 98104-3855

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Age ☒ Add.
X *Joy Yarrington*
 B. Received by (Printed Name) **Joy Yarrington**
 C. Date of Delivery **JUN 16 2011**
 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
 (Transfer from service label)

7008 1140 0000 2359 8206

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Watershed/ Tributary To:	Waterbody	WRIA	Project Name (**continued from previous year)	S/T/R	# of Plants	Amount of Water Needed (15 gallons per plant)	WAC Reference	Ecology's Determination
Snoqualmie River	Ditch Tributary/Tuck Creek Basin	7	** Bellamy Drainage Assistance. Project	14/26N/6E	3,280	Approximately 49,200 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1508.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Ditch tributary	7	**Dolder Drainage Assistance Project	28/25/07E	535	Approximately 8,025 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1508.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Ditch tributary	7	Pearce Drainage Assistance Project	06/26N/7E	435	Approximately 6,525 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1445.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Snoqualmie River	7	Chinook Bend Island Planting	09/25N/7E	400	Approximately 6,000 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1508.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Snoqualmie River	7	McElho Pearson Revegetation	16/25N/7E	20	Approximately 300 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1490.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Snoqualmie River	7	Three Forks Mitigation Planning	34/24/08E	98	Approximately 1,470 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1508.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Snoqualmie River	7	Aldair Levee Repair	10/24N/7E	188	Approximately 2,820 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1490.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Snoqualmie River	7	Si View	09/23/08E	200	Approximately 3,000 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1445.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Snoqualmie River	7	Reif Road	16/23/08E	33	Approximately 498 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1490.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Raging River	7	Allen Revetment Repair Planting	30/23/09E	90	Approximately 1,350 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1445.00 in accordance with Chapter 173-508 WAC.
Snoqualmie River	Raging River	7	Jelstrep-Waring Revegetation Project	04/23/07E	397	Approximately 5,955 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1508.00 in accordance with Chapter 173-508 WAC.
Snoqualmie River	Raging River	7	Nicholes Revegetation	04/23/07E	400	Approximately 6,000 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1508.00 in accordance with Chapter 173-508 WAC.
Snoqualmie River	Raging River	7	Preston Fall City Lowest	28/24/07E	20	Approximately 300 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at USGS gauge 12.1490.00 in accordance with Chapter 173-508 WAC.
Snoqualmie River	Raging River	7	Arruda	10/23/07E	20	Approximately 300 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at USGS gauge 12.1490.00 in accordance with Chapter 173-508 WAC.
Snoqualmie River	Raging River	7	Raging River Bridge to Mouth Right	14/24/07E	140	Approximately 2,100 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at USGS gauge 12.1490.00 in accordance with Chapter 173-508 WAC.
Snoqualmie River	Tolt River	7	Tolt Shoulder Protection	14/25/07E	1,634	Approximately 24,510 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at USGS gauge 12.1490.00 in accordance with Chapter 173-508 WAC.
Snoqualmie River	Skykomish River	7	Walker Planting Skykomish	12/26/10E	192	Approximately 2,880 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at USGS gauge 12.1508.00 in accordance with Chapter 173-508 WAC.

Watershed/ Tributary To:	Waterbody	WRIA	Project Name (**continued from previous year)	S/T/R	# of Plants	Amount of Water Needed (15 gallons per plant)	WAC Reference	Ecology's Determination
Cedar Sammamish	May Creek	8	May Creek Bridge Riparian Planting	07/23/06E	377	Approximately 5,655 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Cedar Sammamish	Issaquah Creek	8	Middle Issaquah Creek Ellis	25/23/06E	500	Approximately 7,500 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	Middle Issaquah Creek Ahlstrom	22/23/06E	300	Approximately 4,500 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	Cedar Rapids Levee Setback North	24/23/05E	2,483	Approximately 37,245 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	Cedar Rapids Levee Setback South	24/23/05E	4,174	Approximately 62,610 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	Blankenship and Lee Flood Buyout	33/23/06E	300	Approximately 4,500 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	CRT Bridge at Orchard Grove	15/22/06E	65	Approximately 975 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	Herzman Property	24/23/05E	75	Approximately 1,125 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	Cedar River Trail Site 2B	24/23/05E	170	Approximately 2,550 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Bear Creek	8	Lien Bear Creek Buffer Enhancement	30/26/06E	1290	Approximately 19,350 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Cedar Sammamish	Stormwater Pond May Creek Basin	8	Cemetery Ponds Wetland Habitat Project	12/23/05E	200	Approximately 3,000 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Sammamish River	8	TZ Mitigation Site	35/26/05E	597	Approximately 8,955 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173-508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Green Duwamish	Newaukum Creek	9	Lower Newaukum Creek Restoration	29/21/06E	300	Approximately 4,500 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Green Duwamish	Green River	9	Wallace Natural Area Restoration	25/21/05E	1,850	Approximately 27,750 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Green Duwamish	Green River	9	Fenster Levee Setback Project	17/21/05E	2,120	Approximately 31,800 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.

Watershed/ Tributary To:	Waterbody	WRIA	Project Name (**continued from previous year)	S/T/R	# of Plants	Amount of Water Needed (15 gallons per plant)	WAC Reference	Ecology's Determination
Green Duwamish	Green River	9	Okimoto Levee Revegetation	23/22/04E	384	Approximately 5,760 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Green Duwamish	Green River	9	Meyers Golf Mitigation site	23/22/04E	354	Approximately 5,310 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Green Duwamish	Green River	9	Horseshoe Bend Levee Planting	30/22/05E	190	Approximately 2,850 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Green Duwamish	Green River	9	Pautzke Levee Setback	17/21/05E	3281	Approximately 49,215 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
White River	White River	10	Stuck River Drive Revetment Repair	29/21/05E	265	Approximately 3,975 gallons per month	White River is closed by WAC 173-510-040(3)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
White River	White River	10	Lower Boise Channel Restoration	34/20/06E	1,000	Approximately 15,000 gallons per month	White River is closed by WAC 173-510-040(3)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
White River	White River	10	Boise Creek VanWierengen Small Habitat Restoration Project	25/20/06E	600	Approximately 9,000 gallons per month	White River is closed by WAC 173-510-040(3)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.